

Message

From: Joan Seeman [Ex. 6 Personal Privacy (PP)]
Sent: 12/14/2018 7:16:37 PM
To: Chergo, Jennifer [Chergo.Jennifer@epa.gov]
CC:

Ex. 6 Personal Privacy (PP)

Subject: Re: "community involvement ultimately remains the responsibility of the EPA" EPA has provide NO Final Citizen Involvement Plan since OU1 was a formal Superfund site

Jennifer,

There are few documents at this site as we discussed for a delist in OU1.
Would the EPA Records provide a more comprehensive list?

<https://semspub.epa.gov/work/08/2006998.pdf>

This is posted on the EPA website. Draft Citizens Involvement Plan 2000.

2. First Five Year report 2009

<https://semspub.epa.gov/work/08/1118472.pdf>

3. Second FIVE Year Review 2014

<https://semspub.epa.gov/work/08/1771624.pdf>

4. No upcoming 2019 5 year review or report considered for the Vasquez Blvd Superfund site before delist?

CDPHE stated in their concurrence for an OU1 that a Vasquez Blvd Five Year Report is missing? 2019? 2004 Final Clean up?

EPA 2014?

"Because this remedy will result in hazardous substances, pollutants, or contaminants remaining on site above levels that allow for unlimited use and unrestricted exposure, a statutory review will be conducted no less often than each five years after the initiation of the remedial action to ensure that the remedy is, or will be, protective of human health and the environment."

5. Explanation of Significant Difference prepared by EPA in 2014 and no public comment requested? Submitted to the Denver Post?

5.0 STATUTORY DETERMINATIONS

The EPA has determined that these significant changes comply with the statutory requirements of Section 121 of CERCLA such that the remedy remains protective of human health and the environment and complies with federal and State requirements that are applicable or relevant and appropriate to this remedial action, are cost-effective, and utilize permanent solutions and alternative treatment technologies to the maximum extent practicable.

Because this remedy will result in hazardous substances, pollutants, or contaminants remaining on site above levels that allow for unlimited use and unrestricted exposure, a statutory review will be conducted no less often

than each five years after the initiation of the remedial action to ensure that the remedy is, or will be, protective of human health and the environment.

6.0 PUBLIC PARTICIPATION

. All of the public participation requirements set forth in Sections 117(c) and (d) of CERCLA, as well as Section 300.435(c)(2)(i) of the NCP will be met. Although a formal public comment period is not required when issuing an ESD, this ESD and all documents that serve as the basis of this ESD are contained in the Administrative Record for the Vasquez Boulevard/Interstate 70 Site.

The EPA will also publish a notice of availability and a brief description of this ESD in the Denver Post.

<https://semspub.epa.gov/work/08/1552122.pdf>

Because this remedy will result in hazardous substances, pollutants, or contaminants remaining on site above levels that allow for unlimited use and unrestricted exposure, a statutory review will be conducted no less often than each five years after the initiation of the remedial action to ensure that the remedy is, or will be, protective of human health and the environment.

7. This is identified as a "Public Meeting" November 5th. Was any Delist info presented? CDPHE had already concurred in Oct.

<https://www.denvergov.org/content/dam/denvergov/Portals/771/documents/EQ/Land%20Use%20and%20Planning/final%20presentation%20110518.pdf>

8. Colorado CERCLA Program

Annual Report:

The History, Status and Long-Term Funding Needs of the Colorado CERCLA Program

December 2013

<https://environmentalrecords.colorado.gov/HPRMWebDrawerHM/Record/403430/File/document>

Cleanup Status: Residential cleanup (OU1) began in FY2004 and was completed in 2006, in which 761 homes were remediated. Based upon the last five-year review, EPA determined it must try to gain access to the roughly 190 property owners who denied access for sampling or remediation of their properties. EPA is in the process of getting access to these homes and will give all the owners one more chance at remediation. All homes whose owners grant access will be sampled and, if necessary, will be remediated. Twenty-three homes were tested and found to be elevated, and were remediated in 2013.

9. No Community discussion provided

FINAL REMEDIAL ACTION REPORT

VASQUEZ BOULEVARD/INTERSTATE 70 OPERABLE UNIT 1 – RESIDENTIAL SOILS DENVER, COLORADO

<https://semspub.epa.gov/work/08/1867122.pdf>

Thank you,
Joan Seeman

Sent from my iPhone

On Dec 14, 2018, at 11:21 AM, Chergo, Jennifer <Chergo.Jennifer@epa.gov> wrote:

There is a 2005 update to that 2000 CIP. I'll find it and get it uploaded to our website. Remember, we completed the vast majority of residential sampling and cleanups by 2006.

From: Joan Seeman **Ex. 6 Personal Privacy (PP)**
Sent: Friday, December 14, 2018 11:15 AM
To: Chergo, Jennifer <Chergo.Jennifer@epa.gov>

Ex. 6 Personal Privacy (PP)

Subject: "community involvement ultimately remains the responsibility of the EPA" EPA has provide NO Final Citizen Involvement Plan since OU1 was a formal Superfund site

Jennifer,

Please provide the FINAL sign-off by EPA Doug Benevento regarding the Vasquez Blvd Superfund site that you confirm below has already occurred.

Also, I requested a response from you regarding the following:

1. Why has no Citizen Involvement Plan been produced since 2000? It was a "draft" and written in 2000 and never finalized?

<https://semspub.epa.gov/work/08/2006998.pdf>

"If interest warrants, EPA will hold one or more public meetings during each comment period to provide information and receive public comments."

"EPA will prepare fact sheets and activity updates describing activities and other relevant information about the VB/I-70 Site as necessary. Fact sheets will be written in English and Spanish. These materials will be distributed to those on the mailing list and will also be available to the general public through the Information Repositories."

"EPA will inform local officials of key events and activities. Formal notification of key events and activities and advance information on decisions and events are important to local officials."

2. Why has there been no EPA written response regarding the Chuck Norris presentation at the October CAG meeting re OU1?
3. Why has there been no response re the CAG Administrators emailed CAG November Resolution recently submitted to EPA?
4. Why has no current info re OU1 been posted to the EPA website re the OU1 delist?
<https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.scs&id=0801646&doc=Y&colid=35163®ion=08&type=SC>
5. Why was there no informational hearing to the CAG and public regarding OU1 and the pending delist by EPA? I reviewed minutes of the CAG meetings since they formed and saw no discussion specific to the OU1 site? Please provide any information, fact sheets, or correspondence that was provided to the CAG, politicians, Community regarding the delist.

CERCLA requires the U.S.Environmental ProtectionAgency(EPA), sites, to develop and manage community involvement programs at both fund-lead and enforcement-lead sites. At fund-lead sites, cleanup is paid for with Superfund money; at enforcement-lead sites, potentially responsible parties (PRPs)pay for cleanup. At either type of site, community involvement ultimately remains the responsibility of the EPA.

The CERCLA community involvement effort promotes two-way communication between members of the public and the lead government agency responsible for remedial actions. The overall objectives of CERCLAcommunity involvement are as follows:

- Provide the public the opportunity to express comments on and provide input to technical decisions;
- Inform the public of planned and ongoing actions;and
- Identifyand resolve conflicts.

EPA's community involvement activities will also address environmental justice issues. Specific environmental justice goals are:

- Raising awareness of equity issues to the remediation team;

-

Reviewing past site procedures to determine whether changes need to be made in areas which would impact communities of color; and

- Tailoring communications which are sensitive to the language and cultural differences of the community to assure that all interested parties have equal opportunity to become involved in EPA's decision making process.

6. I requested information re the TAG grants (Two) approved by EPA. You and Jesse said you were unable to provide the Engineering Reports for these grants: The CEASE coalition received these funds. The community organizations in 2000 include:

- United Swansea/Elyria Neighborhood Association;
- Cross Community Coalition Family Resource Center (C); and
- Elyria/Swansea Community Economic Development Corporation •

CEASE Neighborhood Coalition

CEASE Neighborhood Coalition

The Clayton, Cole, Elyria and Swansea Neighborhood Coalition (CEASE) was formed to join the four neighborhoods together around the common purpose of soil contamination. **CEASE connects directly with neighborhood organizations and groups to support their efforts in addressing contamination** in the impacted neighborhoods.

CEASE members have been actively involved in the VB/I-70 Working Group since its

Inception and received a Technical • Assistance Grant from the EPA in April 2000.

Finally, Denver has confirmed a location for the Swansea Smelter and requested that Habitat for Humanity test before construction. EPA Steve Wharton is said to have informed officials at EPA that the discovery of the Swansea Smelter in Denver is a non issue?

I look forward to your responses.

Thank you,

Joan Seeman

Ex. 6 Personal Privacy (PP)

Sent from my iPhone

On Dec 14, 2018, at 10:18 AM, Chergo, Jennifer <Chergo.Jennifer@epa.gov> wrote:

You have both asked who signs the NOID. The answer is the Regional Administrator, Doug Benevento, after EPA headquarters review and approval and state concurrence, both of which have occurred for this partial deletion.

Jennifer Chergo

Public Affairs Specialist

U.S. Environmental Protection Agency

1595 Wynkoop Street, Denver, CO 80202

(303) 312-6601 desk / (303) 548-6998 cell